
OLR Bill Analysis

sSB 1002

AN ACT CONCERNING LABOR ISSUES RELATED TO COVID-19, PERSONAL PROTECTIVE EQUIPMENT AND OTHER STAFFING MATTERS.

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SUMMARY

This bill contains numerous provisions generally related to the impact of COVID-19 on employment and workplace-related issues. Among other things, the bill generally:

1. establishes the conditions under which employees who died or

- were unable to work due to contracting COVID-19 must be presumed to have contracted it in the course of their employment (making them eligible for workers' compensation benefits);
2. expands eligibility for workers' compensation benefits for post-traumatic stress injuries to include emergency medical services personnel; Department of Correction employees; 9-1-1 emergency dispatchers; and, under certain circumstances related to COVID-19, health care providers;
 3. requires employers to offer available jobs to certain laid-off employees who (1) held the same or similar position when they were most recently separated from service with the employer or (2) can be qualified for the position with the same training as a new employee;
 4. requires the Department of Public Health (DPH) commissioner to procure two stockpiles of personal protective equipment (PPE) and establishes priorities for stockpile use during a public health emergency;
 5. requires health care providers and long-term care providers to maintain enough new PPE for 90 days of surge consumption during a state of emergency;
 6. establishes a grant program and requires employers to apply for grants that they must use to provide additional pandemic pay to their essential employees (\$5 per hour) and specialized risk employees (\$10 per hour) for their hours worked between March 20, 2020, and April 30, 2021; and
 7. requires private-sector employers to provide their employees with up to 80 hours of additional COVID-19 paid sick leave that they can use for certain purposes related to COVID-19.

EFFECTIVE DATE: Upon passage, unless otherwise noted below.

§ 1 — PROHIBITION AGAINST EMPLOYEE DISCIPLINE AND MISINFORMATION FOR WORKERS' COMPENSATION CLAIMS

Prohibits employers from deliberately misinforming employees about or dissuading them from filing a workers' compensation claim

Current law prohibits employers from discharging or discriminating against an employee because the employee filed a workers' compensation claim or exercised his or her rights under the workers' compensation law. The bill expands this protection to also prohibit employers from (1) disciplining employees for filing a claim or exercising their rights or (2) deliberately misinforming or dissuading them from filing a claim. (This codifies Executive Order 7JJJ (2020).)

As under current law, employees subjected to a violation may either bring a lawsuit in Superior Court or file a complaint with the Workers' Compensation Commission.

§ 2 — WORKERS' COMPENSATION NOTICE OF CONTROVERSY

Requires employers or insurers to file a notice of controversy when there is a disputed request for medical or surgical aid or hospital and nursing services

The bill requires an employer or insurer to file a notice of controversy (presumably with a workers' compensation commissioner) when there is a dispute over whether a workers' compensation-related request for medical or surgical aid or hospital and nursing services, including mechanical aids and prescriptions, is reasonable or necessary. The employer or insurer must also send a copy of the notice to the originator of the request.

The bill allows a health care provider, employee, or other interested party to request a hearing about paying for the disputed medical and related services. It also specifies that (1) payment of the medical bill by an employer or insurer is not an admission of the reasonableness of subsequent medical bills and (2) it does not affect other workers' compensation provisions for notices of a claim for compensation or notices contesting liability.

§ 3 — WORKERS' COMPENSATION REBUTTABLE PRESUMPTION FOR COVID-19

Establishes the conditions under which employees must be presumed to have contracted COVID-19 in the course of their employment

Presumption

For adjudicating workers' compensation claims, the bill requires that an employee who died or was unable to work due to contracting COVID-19, or having symptoms later diagnosed as COVID-19, is presumed to have contracted it as an occupational disease arising out of and in the course of employment (making them eligible for workers' compensation benefits) if:

1. the death or lost work occurred during (a) the current COVID-19 public health and civil preparedness emergencies or (b) new ones declared by the governor because of a COVID-19 outbreak in the state;
2. the contraction of COVID-19 is confirmed by a positive lab test or, if one is not available, diagnosed based on the employee's symptoms and documented by a licensed physician, physician assistant, or advanced practice registered nurse;
3. a copy of the test or diagnosis documentation is provided to the employer or insurer; and
4. the employee did not, during the 14 consecutive days immediately before the employee's death or inability to work, (a) work solely from home, with no physical interaction with other employees, or (b) receive an individualized written offer or directive to work solely from home, but otherwise chose to work at the employer's worksite.

The bill specifies that COVID-19 is an occupational disease for those diagnosed with it as described above. In effect, this gives them three years from the first manifestation of a symptom to file a workers' compensation claim (see CGS § 31-294c).

Employer Rebuttal

The bill allows employers or insurers to rebut the presumption if they clearly demonstrate by a preponderance of the evidence that the

employee's employment did not directly cause his or her COVID-19. The employer or insurer must provide evidence to rebut the presumption within 10 days after filing a notice to contest the claim.

Under the bill, if the employer successfully rebuts the presumption, a compensation commissioner must still decide the employee's claim on its merits under the established practices of causation (i.e., the employee would have to prove that he or she contracted the disease in the course of employment). The bill additionally specifies that an employee who contracted COVID-19 but does not qualify for the presumption is not precluded from making a general workers' compensation claim.

The bill requires that an employee's pre-existing condition have no bearing on the merits of a claim, both for approving it and continuing benefits that have been awarded. It also specifies that the bill's reapportioning of the levels of the burdens of proof between the parties is a procedural change intended to apply to all existing and future COVID-19 claims.

Report

The bill requires the Workers' Compensation Commission, from July 1, 2021, to January 1, 2023, to provide monthly reports on COVID-19 claims to the Labor and Public Employees and Insurance committees. The reports must include the:

1. number of total COVID-19 workers' compensation claims filed since May 10, 2020;
2. number of record-only (i.e., uncontested) claims filed by hospitals, nursing homes, municipalities, and other employers, listed by employer name;
3. number of COVID-19 workers' compensation cases filed by state employees in each agency;
4. number of these claims contested by each individual employer, including state agencies, third-party administrators, and

- insurers, by client;
5. reasons cited by each employer, including state agencies, third-party administrators, or insurers, by client, for contesting the claims;
 6. number of claims that have had a hearing with the commission;
 7. number of (a) commission rulings on appealed claims, (b) approved voluntary agreements, (c) findings and awards, (d) findings and dismissals, (e) petitions for review, and (f) stipulations;
 8. average time it took to schedule an initial hearing after one was requested; and
 9. average time it took to adjudicate contested COVID-19 workers' compensation claims.

The bill requires employers, including state agencies, third-party administrators, and insurers, to comply with all requests from the Workers' Compensation Commission for information it must include in the reports.

§ 4 — WORKERS' COMPENSATION BURIAL EXPENSES

Establishes a \$20,000 benefit for burial expenses for an employee who dies due to contracting COVID-19, and increases the general benefit for burial expenses from \$4,000 to \$20,000, with future annual adjustments for inflation

The bill establishes a \$20,000 workers' compensation benefit for burial expenses in any case in which the employee died due to contracting COVID-19 during the current COVID-19 public health and civil preparedness emergencies or new ones declared by the governor because of a COVID-19 outbreak in the state.

It also increases the current standard benefit for burial expenses from \$4,000 to \$20,000 once the bill passes. Then, starting on January 1, 2022, the bill requires the standard benefit to be annually adjusted by the previous calendar year's percentage increase in the Consumer Price Index for Urban Wage Earners and Clerical Workers in the

Northeast.

§§ 5 & 6 — WORKERS’ COMPENSATION PTSI BENEFITS

Expands eligibility for workers’ compensation PTSI benefits to include emergency medical services personnel, DOC employees, 9-1-1 emergency dispatchers, and under certain circumstances related to COVID-19, health care providers

The bill expands eligibility for workers’ compensation benefits for post-traumatic stress injuries (PTSI) to cover (1) emergency medical services (EMS) personnel; (2) all Department of Correction (DOC) employees; (3) telecommunicators (i.e., 9-1-1 emergency dispatchers); and (4) under certain circumstances related to COVID-19, health care providers. The bill also changes the terminology used in the underlying law by replacing “post-traumatic stress disorder” (PTSD) with “post-traumatic stress injury.”

Current law provides workers’ compensation PTSD benefits to police officers, DOC-employed parole officers, and firefighters diagnosed with PTSD as direct result of certain qualifying events (e.g., witnessing someone’s death) that occur in the line of duty. The bill allows EMS personnel, DOC employees, and emergency dispatchers to qualify for benefits through the same qualifying events, although the dispatchers may do so by hearing them. Qualifying events for health care providers under the bill are the same types of events, but they must have occurred due to, or as a result of, COVID-19.

The bill also makes technical and conforming changes.

EMS Personnel, Telecommunicators, and Health Care Providers

Under the bill, “emergency medical services personnel” are certified emergency medical responders, emergency medical technicians, advanced emergency medical technicians, EMS instructors, and licensed paramedics.

“Telecommunicators” are individuals engaged in or employed by a public or private safety agency as telecommunications operators (1) whose primary responsibility is receiving or processing 9-1-1 calls for emergency assistance or dispatching emergency services provided by public safety agencies and (2) who receive or disseminate information

relative to emergency assistance by telephone or radio.

“Health care providers” are people employed at a physician’s office, hospital, health care center, clinic, medical school, local health department or agency, nursing or retirement facility, nursing home, group home, home health care provider, facility that performs laboratory or medical testing, or pharmacy or any similar institution. They also include people who provide personal care assistance (PCAs) under a state-funded program, such as the Connecticut Home Care Program for Elders.

(Existing workers’ compensation law, unchanged by the bill, only covers people who work in or about a private dwelling if they are regularly employed by the dwelling’s owner or occupier for more than 26 hours per week (CGS § 31-275(9)(B)(iv)). It is unclear if this 26-hour work threshold would also apply to PCAs under the bill.)

Qualifying Events

Under current law, police officers, parole officers, and firefighters are eligible for workers’ compensation PTSD benefits if a mental health professional examines them and diagnoses PTSD as a direct result of a qualifying event in the line of duty.

For EMS, DOC Employees, and Emergency Dispatchers. The bill extends current law’s eligibility requirements to EMS personnel, DOC employees, and emergency dispatchers. Thus, their PTSI diagnosis is compensable with workers’ compensation benefits if a mental health professional examines them and diagnoses PTSI as a direct result of an event that occurs in the line of duty on or after July 1, 2019, and in which they:

1. view a deceased minor;
2. witness (a) a person’s death or an incident involving a person’s death, (b) an injury to a person who subsequently dies before or upon admission to a hospital as a result of the injury and not any other intervening cause, or (c) a traumatic physical injury that results in the loss of a vital body part or a vital body

function that results in the victim's permanent disfigurement; or

3. carry, or have physical contact with and treat, an injured person who subsequently dies before or upon admission at a hospital as a result of the injury and not any other intervening cause.

For emergency dispatchers, however, witnessing a "qualifying event" is hearing, by telephone or radio (1) someone's death or an incident involving someone's death; (2) an injury to someone who subsequently dies before or upon admission to a hospital because of the injury; or (3) a traumatic physical injury that results in the loss of a vital body part or a vital body function that results in the victim's permanent disfigurement.

For Health Care Providers. For health care providers under the bill, a qualifying event is an event arising in and out of the course of employment on or after March 10, 2020, in which the provider was engaged in activities substantially dedicated to mitigating or responding to the COVID-19 emergency and:

1. witnessed the death of a person due to COVID-19,
2. witnessed an injury to a person who subsequently died as a result of COVID-19,
3. had physical contact with and treated or provided care for a person who subsequently died as a result of COVID-19, or
4. witnessed a traumatic physical injury that resulted in someone's loss of a vital body function due to COVID-19.

PTSI Benefits and Procedure

Under the bill, the PTSI benefits provided to EMS personnel, DOC employees, emergency dispatchers, and health care providers are subject to the same limitations and procedures that current law applies to the benefits for firefighters, police, and parole officers. Among other things, this (1) caps the benefits' duration at 52 weeks; (2) prohibits the benefits from being awarded beyond four years after the qualifying

event; and (3) requires that employers contest a claim for PTSI benefits through a process that is generally similar to the one used for contesting other workers' compensation claims, although with different deadlines.

§ 7 — EMPLOYEE RECALL RIGHTS

Requires employers to offer available jobs to their laid-off employees who (1) held the same or similar position when they were most recently separated from service with the employer or (2) can be qualified for the position with the same training as a new employee

This bill requires private-sector employers with at least five employees to meet certain requirements related to recalling certain employees laid off between March 10, 2020, and December 31, 2024. Among other things, these employers must notify laid-off employees about available positions for which a laid-off employee is qualified and offer the positions first to those who previously held the same or a similar position, then to those who can qualify for the position with the same training as a new employee.

Covered Employers and Laid-off Employees

An "employer" covered by the bill is any person who conducts an "enterprise" and employs or exercises control over the wages, hours, or working conditions of any employee. It includes corporate officers or executives, acting directly or indirectly, or through an agent or any other person, including through the services of a temporary service or staffing agency or similar entity. An "enterprise" is any income-producing economic activity conducted in the state that employs five or more employees.

A "laid-off employee" covered by the bill is an employee (1) employed by an employer for at least six of the twelve months preceding March 10, 2020, and (2) whose most recent separation from active service with, or whose failure to be scheduled for customary seasonal work by, that employer occurred between March 10, 2020, and December 31, 2024, due to a lack of business or a reduction or furlough of the employer's workforce; the current COVID-19 public health and civil preparedness emergencies; or other economic, non-disciplinary reasons. "Customary seasonal work" is work performed

by an employee for approximately the same portion of each calendar year.

Recall Notice and Preference

Notice. The bill requires an employer to send each of its laid-off employees a notice about its available job positions for which the laid-off employee is qualified. Under the bill, laid-off employees are qualified if they (1) held the same or a similar position at the enterprise when they were most recently separated from service with the employer or (2) are or can be qualified for the position with the same training as a new employee hired for the position. The notice must be sent (1) in writing to the laid-off employee's last known physical address and e-mail address and (2) by text message to his or her mobile phone. (The bill does not specify when an employer must send the notices or how often it must do so.)

Recall Order of Preference. The bill requires employers to offer positions to laid-off employees in the same order of preference that they are deemed qualified above: first to those who held the same or a similar position before their separation, then to those who can qualify for the position with the same training as a new employee. If more than one (presumably, laid-off) employee is entitled to preference for a position, the bill requires the employer to offer the position to the (presumably, laid-off) employee with the greatest length of service at the employment site. An employer may offer a position to more than one laid-off employee, with the final offer for the position conditioned upon the same order of preference as described above.

An "employment site" under the bill is the principal physical place where the laid-off employee performed the predominance of his or her duties before being laid off. But for a laid-off employee in construction, transportation, building services, or other industries where work is performed at locations other than the employer's administrative headquarters, it is any location served by the headquarters. An employee's "length of service" is the total amount of time that the employee was in active service, including the employee's time on leave or vacation.

Job Offers. The bill requires that a job offer to a laid-off employee be in the same classification or job title at substantially the same employment site (which may be relocated within 25 miles), and with substantially the same duties, compensation (including fringe benefits), and working conditions that the employee had immediately before March 10, 2020. (It is unclear how this requirement could apply to a former senior employee (e.g., a manager) who, under the bill, must be offered a position for which he or she could qualify with the same training as a new employee (e.g., a cashier).)

Under the bill, an employer must give a laid-off employee who is offered a position at least 10 days to accept or decline the offer. (The bill does not specify what happens if the employee does not respond within 10 days.) If the employee declines due to his or her age, or due to his or her underlying health conditions (or those of a family member or other person living in his or her household), the employee retains the right to accept the position and all other rights under the bill until the current COVID-19 public health and civil preparedness emergencies, and any extensions of them, expire and the laid-off employee is reoffered the position. The bill requires that a rehired employee be allowed to work for at least 30 days unless there is just cause for their termination.

Hiring Another Person. If an employer does not rehire a laid-off employee due to a lack of qualifications and instead hires someone else, the bill requires the employer to give the laid-off employee a written notice within 30 days after hiring the other person. The notice must identify the other person, the reasons for the decision, and all demographic data the employer has about the other person and the laid-off employee who was not rehired.

Application of Bill Provisions. The bill specifies that its provisions apply if:

1. the employer's owner changed after the laid-off employee was laid off, but the enterprise continues to conduct the same or similar operations as it did before March 10, 2020;

2. the employer's form of organization changed after March 10, 2020;
3. another entity acquired substantially all of the employer's assets, and conducts the same or similar operations using substantially the same assets; or
4. the employer relocates the operations where the laid-off employee worked before March 10, 2020, to a different employment site within 25 miles of the original employment site.

Collective Bargaining Agreements. The bill also requires that its provisions apply to each laid-off employee, regardless of whether he or she is represented for collective bargaining or covered by a collective bargaining agreement. But it specifies that it (1) is not a violation for an employer to follow a recall order of preference required by a collective bargaining agreement that is different from the order of preference required by the bill and (2) does not invalidate or limit the rights, remedies, and procedures of any contract or agreement that provides equal or greater protection for laid-off employees.

The bill also allows its provisions to be waived in a bona fide collective bargaining agreement, but only if the waiver is explicitly set forth in the agreement in clear and unambiguous terms. It specifies that unilateral implementation of terms and conditions of employment by either party to an agreement does not constitute and must not be allowed as a waiver.

Employee Protections and Enforcement

The bill prohibits employers from terminating, refusing to reemploy, reducing compensation, or taking any adverse action against anyone seeking to enforce his or her rights under the bill or for (1) participating in proceedings related to the bill; (2) opposing a violation of it; or (3) otherwise asserting their rights under it. It requires an employer that does so to give the laid-off employee a detailed written statement of the reason why when it takes these

prohibited actions. The statement must include all the facts substantiating the employer's reason or reasons for taking the prohibited action, along with all facts known to the employer that contradict the substantiating facts.

The bill allows a laid-off employee aggrieved by a violation to bring a lawsuit in Superior Court. He or she may also designate an agent or representative to maintain the action on his or her behalf. If the court finds that the employer violated the bill, it may enjoin the employer from engaging in the violation and order appropriate affirmative action (e.g., reinstatement or rehiring, back pay, and benefits) and any other relief it deems appropriate.

If a court orders back pay, the bill requires that the laid-off employee's interim earnings or amounts earnable with reasonable diligence be deducted from the back pay. However, any reasonable amounts that the laid-off employee spent searching for, obtaining, or relocating to new employment must be deducted from the interim earnings before their deduction from the back pay.

Under the bill, the court may also order (1) compensatory and punitive damages if it finds that the employer committed the violation with malice or with reckless indifference to the bill's requirements and (2) treble damages if it finds that the employer terminated the laid-off employee in violation of the bill. It also requires courts to award attorney's fees and costs to a laid-off employee who prevails in a civil action.

§ 8 — PERSONAL PROTECTIVE EQUIPMENT STOCKPILES

Requires the DPH commissioner to procure PPE to create two stockpiles; establishes priorities for stockpile use during a public health emergency

The bill requires the DPH commissioner, within six months after the current COVID-19 public health and civil preparedness emergencies end or the bill passes, whichever is later, to award a contract or contracts for procuring personal protective equipment (PPE) to create two stockpiles. The commissioner must do this in consultation with the Department of Administrative Services (DAS) and the state Division of

Emergency Management and Homeland Security (DEMHS).

Under the bill, “PPE” is clothing or equipment worn by an employee for protection against infectious disease and materials, such as protective equipment for the eyes, face, head, and extremities; protective clothing; and protective shields and barriers.

The bill allows the commissioner to make awards to multiple bidders. It requires her, to the maximum extent feasible, to pay for the PPE with federal public health emergency funds. Each stockpile must be gradually filled to a capacity determined by the commissioner, but at least one-third of the stockpile’s capacity must be filled each year until capacity is met. If PPE from the stockpile is used, it must be refilled in a similar manner.

Under the bill, one stockpile must consist of PPE approved for use by a federal agency and one stockpile must consist of PPE approved by DPH, in consultation with DAS and DEMHS. To the maximum extent feasible, 50% of the PPE in each stockpile must be made in Connecticut and 30% of the PPE must be made in the United States.

Stockpile Use

The bill requires the DPH commissioner, during a declared public health emergency, to make the stockpiled PPE available for free to state agencies; political subdivisions (e.g., municipalities); nursing homes; hospitals; nonprofit organizations; and public schools. If, after doing so, the commissioner determines that there is an excess supply of PPE, she must offer to sell it to other private entities at fair market value. The commissioner must establish orders of priority for the entities that may access the state's PPE stockpiles.

Expiring PPE

When any stockpiled PPE is within one year of expiring, the bill requires the commissioner to offer to sell it at no more than fair market value to, in this order: private nursing homes in the state, federally qualified healthcare centers in the state, hospitals, nonprofit hospitals and entities that provide direct medical care in the state, public school

districts in the state, and private schools and nonpublic charter schools in the state. To the extent feasible, expired PPE must be disposed of in an environmentally sound way.

Annual Report

The bill requires DEMHS, in consultation with DPH and DAS, to submit an annual report on the status of the stockpiles to the governor and legislature. The reports must include data on the price the state paid for the PPE and any PPE the state sold. They must be available to the public on the division's web site.

§ 9 — PPE EVALUATION, DISTRIBUTION, AND APPROVAL PROCESS

Requires DEMHS to establish a process to evaluate, distribute, and approve PPE for use during public health emergencies

The bill requires DEMHS, in consultation with DPH, to establish a process to evaluate, distribute, and approve PPE for use during public health emergencies. The process must (1) be designed to help the production of PPE by businesses that do not otherwise produce it and are not federally-approved to do so, (2) prioritize businesses that manufacture PPE in Connecticut, and (3) require DAS to help review the businesses to ensure they are legitimate and do not have any unresolved safety or health citations.

§ 10 — PPE REQUIREMENTS FOR HEALTHCARE AND LONG-TERM CARE PROVIDERS

Requires health care providers and long-term care providers to maintain enough new PPE for 90 days of surge consumption during a state of emergency; allows for exemptions and DPH waivers under certain circumstances

Starting January 1, 2023, or one year after DPH adopts regulations (see below), whichever is later, the bill requires each covered provider (i.e., a health care provider or long-term care provider) to maintain an unexpired inventory of new PPE sufficient for 90 days of surge consumption during a declared state of emergency or local emergency for a pandemic or other health emergency, as determined by the DPH commissioner. Each covered provider must provide an inventory of its PPE to DPH upon request. The bill subjects violators to a \$25,000 civil penalty unless they have a waiver from DPH or the department

exempts them as allowed under the bill (see below).

The bill requires the covered provider that controls or owns a facility to maintain the required PPE even if another covered provider provides services in the facility. It also requires a covered provider to (1) supply PPE to its health care workers and long-term care workers and (2) require that they use it.

Covered Providers

Under the bill a “health care provider” is any person, corporation, limited liability company, facility, or institution operated, owned, or licensed by the state to provide health care or professional services. It includes their officers, employees, or agents acting in the course and scope of their employment. But it does not include an independent medical practice that one or more licensed physicians own and operate, or maintain as a clinic or office, to practice their profession within the scope of their license, unless it is operated or maintained exclusively as part of an integrated health system or health facility.

A “long-term care provider” is home health care agency, home health aide agency, behavioral health facility, alcohol or drug treatment facility, assisted living services agency, or nursing home.

Waivers and Exemptions

The bill allows a covered provider to apply to DPH, in writing, for a waiver of some or all of the above PPE inventory requirements. DPH may approve it if the covered provider has 25 or fewer employees and agrees to close in-person operations during a public health emergency in which DPH recommends increased use of PPE. The provider cannot return to in-person operations until sufficient PPE becomes available to the provider.

The bill also allows DPH to exempt a covered provider from the civil penalty if supply chain limitations make meeting the required supply level infeasible, and the covered provider (1) made a reasonable attempt to obtain PPE, as determined by DPH, or (2) shows that meeting the required supply level is not possible due to issues

beyond its control (e.g., the provider ordered PPE but the order was not fulfilled or the PPE was damaged in transit or stolen).

The bill exempts a covered provider from the civil penalty if its PPE inventory falls below the required supply level because it distributed PPE to its health care workers or long-term care workers, or to another covered provider's workers, during a state of emergency declared by the governor or a declared local emergency for a pandemic or other health emergency. But the covered provider must replenish its inventory to the required level within 30 days after the inventory falls below the required level, if DPH determines that there is no supply limitation.

DPH Regulations

The bill requires DPH to adopt regulations to carry out these provisions. The regulations must also establish requirements for 90 days of surge consumption during a state of emergency, including the types and amount of PPE that a covered provider must maintain based on the (1) type and size of each covered provider and (2) composition of health care workers and long-term care workers in its workforce. The regulations cannot establish policies or standards that are less protective or prescriptive than any federal, state, or local law on PPE standards.

§ 11 — HOSPITAL AND NURSING HOME DATA

Requires hospitals and nursing homes to collect and post certain data related to their COVID-19 cases

The bill requires each acute care hospital and nursing home to collect data on COVID-19 in a form set by the DPH commissioner. They must do so (1) daily during the current COVID-19 public health and civil preparedness emergencies and then (2) monthly after they expire. The data must be based on nationally recognized and recommended standards and include:

1. current inpatient data on COVID-19 cases, hospitalizations, and deaths;
2. the number of employees exposed to COVID-19 and exhibiting

- its symptoms who were tested for it;
3. the number of asymptomatic employees tested for COVID-19;
 4. the number of COVID-19 vaccines administered;
 5. census data on beds and ventilators; and
 6. a PPE inventory, including the quantity in possession and the utilization rate.

The bill requires each hospital and nursing home to post the data to its internet website each day during the current COVID-19 public health and civil preparedness emergencies and then quarterly after they expire.

§§ 12-19 & 32 — PANDEMIC PAY

Establishes a grant program and requires employers to apply for grants that they must use to provide additional pandemic pay to their essential employees (\$5 per hour) and specialized risk employees (\$10 per hour.) for their hours worked mitigating or responding to the COVID-19 emergency between March 20, 2020, and April 30, 2021

Grant Program (§ 13)

The bill establishes the Essential Employees Pandemic Pay Grant Program within the Department of Social Services (DSS) to administer and award grants to employers whose covered employees were engaged in activities substantially dedicated to mitigating or responding to the COVID-19 public health and civil preparedness emergencies between March 20, 2020, and April 30, 2021. It requires that at least 15% of unrestricted funds received by the state from January 1, 2021, to July 1, 2021, for COVID-19 relief be appropriated to fund grants under the program.

The bill requires employers that employed covered employees to apply to DSS for a grant in an amount sufficient to make the required pandemic pay payments to their covered employees (see below). They must do so by July 1, 2021, or within 60 days after the program is available, whichever is later. DSS must issue the grants within 30 days after the applications are due. If the amount appropriated to the program is insufficient to fund the full amount of the grants, DSS must

prorate the grant amounts.

Covered Employees & Employers (§ 12)

Under the bill, “covered employees” are (1) “essential employees” and (2) “specialized risk employees.”

“Essential employees” are those employed in a category that the Centers for Disease Control and Prevention’s (CDC’s) Advisory Committee on Immunization Practices, as of February 20, 2021, recommended to receive a COVID-19 vaccination in phase 1b of the COVID-19 vaccination program. (These include firefighters, police officers, corrections officers, food and agricultural workers, U.S. Postal Service workers, manufacturing workers, grocery store workers, public transit workers, education sector workers, and child care workers.)

“Specialized risk employees” are (1) anyone employed in a category that the CDC’s Advisory Committee on Immunization Practices, as of February 20, 2021, recommend to receive a COVID-19 vaccination in phase 1a of the COVID-19 vaccination program (i.e., health care personnel); (2) first responders; (3) employees required to work in congregate settings or with persons infected with COVID-19; and (4) people who provide personal care assistance (PCAs) under a state-funded program, such as the Connecticut Home Care Program for Elders.

“First responders” are peace officers (e.g., police officers), firefighters, people employed as firefighters by a private employer, ambulance drivers, emergency medical responders, emergency medical technicians, advanced emergency medical technicians or paramedics, and telecommunicators (i.e., 9-1-1 emergency dispatchers).

“Employers” covered by the bill are employers of a covered employee. It includes the consumers who receive services from a personal care attendant under a state-funded program (see § 16 below). (The bill does not specify this, but presumably employers include the state and its political subdivisions.)

Pandemic Pay (§ 14)

The bill requires each employer that receives a pandemic pay grant to pay each of its covered employees additional compensation for each hour they worked between March 20, 2020, and April 30, 2021. The additional pandemic pay must be \$5 per hour for essential employees and \$10 per hour for specialized risk employees, or a prorated amount if the employer received a grant smaller than the one it applied for. The bill also prohibits employers from denying pandemic pay based on the quality or type of work the covered employee performed.

The bill requires employers to provide pandemic pay as a lump sum payment in a covered employee's first regularly scheduled wage payment after the employer receives the grant. If the employer cannot do this, the pandemic pay must be paid as soon as practicable, but no later than the employee's second regularly scheduled wage payment. If a covered employee entitled to pandemic pay dies before receiving it, the bill requires the employer to pay it to the employee's next of kin as a lump sum payment.

Pay Stubs. Under the bill, the pandemic pay must be clearly demarcated as a separate line item in a paystub or other document provided to a covered employee that details the employee's pay for the pay period. If the employee does not regularly receive a pay stub or this documentation from the employer, the employer must provide it while the employee is receiving pandemic pay.

The bill requires pandemic pay to be excluded from a covered employee's pay when (1) calculating eligibility for wage-based benefits offered by the employer or (2) computing the employee's regular rate for minimum wage, overtime pay, or any other wage-based employment standard or benefit.

Prohibited Acts. The bill prohibits employers who receive grants from reducing or in any way diminishing a covered employee's compensation from March 20, 2020, to June 30, 2021, from the level paid to the employee on the day before the bill passes. It also prohibits employers from taking any action to displace a covered employee by

reducing hours, wages, or employment benefits or hiring someone for an equivalent position paid at a lower rate than what was paid to the employee on the day before the bill passes.

PCAs and Consumers (§ 16)

For the consumers who employ state-funded PCAs, the bill requires the fiscal intermediaries (who pay the PCAs on behalf of the consumers) to meet the pandemic pay requirements and makes them solely responsible for the applicable penalties that would otherwise apply to the PCA's consumer. It allows DSS and the Department of Developmental Services to apply to the grant program for the funds that are reasonably required to compensate fiscal intermediaries for complying with the bill's pandemic pay provisions.

Enforcement (§§ 15, 17-19 & 32)

Failure to Apply for Grant or Pay Pandemic Pay. The bill subjects an employer who fails to apply for a grant, or who receives a grant but fails to make pandemic pay payments, to the statutory penalties for unpaid wages if it is an intentional violation (§§ 15 & 17). These laws impose penalties that depend on the amount of unpaid wages owed to an employee as follows:

1. for up to \$500 in unpaid wages: a \$200 - \$500 fine, up to three months in prison, or both;
2. for \$500 - \$1,000 in unpaid wages: a \$500 - \$1,000 fine, up to six months in prison, or both;
3. For \$1,000 - \$2,000 in unpaid wages: a \$1,000 - \$2,000 fine, up to one year in prison, or both; and
4. for more than \$2,000 in unpaid wages: a \$2,000 - \$5,000 fine and a class D felony (§ 17).

The bill also allows an employee to bring a lawsuit against an employer who fails to apply for a grant or who receives a grant but fails to make pandemic pay payments (§§ 15 & 32). An employee who wins the lawsuit must recover twice the amount of pandemic pay

owed unless the employer establishes a good faith belief that the underpayment complied with the law; in which case, the employee must recover the full amount of pandemic pay owed.

Retaliatory Actions. The bill subjects an employer who takes any action against an employee for invoking his or her right to pandemic pay to the \$100 statutory fine for discharging or discriminating against the employee for testifying in a wage investigation or proceeding, and an additional \$300 penalty the Department of Labor (DOL) may impose for general violations of the labor law (§§ 18 & 19).

EFFECTIVE DATE: Upon passage, except the conforming changes related to imposing fines for unpaid wages or retaliating against an employee are effective October 1, 2021.

§§ 20-25 — COVID-19 SICK LEAVE

Requires private-sector employers to provide their employees with up to 80 hours of additional COVID-19 paid sick leave that they can use for certain purposes related to COVID-19

Leave Requirement (§§ 20 & 21(a)-(b))

The bill requires all private-sector employers to provide their employees with additional COVID-19 sick leave that they can use for certain purposes related to COVID-19. They must provide at least 80 hours of this leave to employees who normally work 40 hours per week. Employees who work less than that must receive COVID-19 sick time that equals the amount of time they are scheduled to work or that they work on average over a two-week period, whichever is greater. Employees exempt from federal law's overtime pay requirements must be assumed to work 40 hours per week for leave accrual purposes, unless their normal work week is less than 40 hours. If it is, then their leave accrual must be based on their normal work week.

To calculate leave amounts for employees who work variable schedules of less than 40 hours per week, the bill requires employers to use the employee's average weekly hours over the six months preceding the leave, including any leave hours that the employee took during that period. If the employee did not work over that period, the average must be the employee's reasonable expectation, at the time of

hire, of the average number of hours per week that he or she would be regularly scheduled to work.

The bill requires that the leave be available to employees immediately and retroactively to March 10, 2020, regardless of how long they have been employed, and remain available until four weeks after the governor's emergency declarations (presumably over COVID-19) expire.

"Employers" who must provide COVID-19 sick leave are any person, firm, business, educational institution, nonprofit organization, corporation, limited liability company or other entity. This includes the state's Personal Care Attendant Workforce Council, which under the bill is the employer of people who provide personal care assistance (PCAs) under a state-funded program, such as the Connecticut Home Care Program for Elders. It does not include the federal government.

"Employees" eligible for COVID-19 sick leave under the bill are those engaged in service to an employer in the employer's business.

Reasons for Leave (§§ 20 & 21(c)-(d))

Under the bill, employees may use the COVID-19 sick leave when they are unable to work, including through telework, because they:

1. need to (a) self-isolate and care for themselves due to a COVID-19 diagnosis or symptoms; (b) seek COVID-19 preventive care; or (c) seek or obtain a diagnosis, care, or treatment for COVID-19 symptoms;
2. need to comply with an order or determination to self-isolate because of their possible exposure to COVID-19 or have COVID-19 symptoms, regardless of whether they were diagnosed with COVID-19, and their physical presence on the job or in the community would jeopardize their health or that of other employees or someone in the employee's household (i.e., a quarantine order);
3. need to care for a family member who is (a) self-isolating or

- seeking preventive care, diagnosis, or treatment or (b) self-isolating due to a COVID-19 quarantine order;
4. were prohibited from working by their employer due to health concerns related to potential COVID-19 transmission;
 5. are subject to an individual or general local, state, or federal quarantine or isolation order related to COVID-19;
 6. need to care for a child or other family member whose care provider is unavailable due to COVID-19 or whose school or place of care has been closed by a local, state, or federal public official due to COVID-19 (including schools that are (a) physically closed but providing virtual learning, (b) requiring or allowing virtual learning, or (c) requiring or allowing a hybrid of in-person and virtual learning); or
 7. have a health condition that may increase susceptibility to or risk of COVID-19, including age, heart disease, asthma, lung disease, diabetes, kidney disease, or a weakened immune system.

If the employee needs the leave to self-isolate due to a quarantine order, or to care for a family member who must self-isolate due to a quarantine order, the order must be from a local, state, or federal public official, a health authority with jurisdiction, or the employer of the employee or employee's family member. But it does not have to be specific to the employee or family member.

Under the bill, a "family member" for whom an employee may take COVID-19 sick leave is (1) the employee's spouse, child, parent, grandparent, grandchild, or sibling, whether related to the employee by blood, marriage, adoption or foster care, or (2) an individual related to the employee by blood or affinity whose close association with the employee is the equivalent of those family relationships. A "parent" is a biological parent, foster parent, adoptive parent, stepparent, parent-in-law of the employee, legal guardian of an employee or an employee's spouse, an individual standing in loco parentis (i.e., in

place of a parent) to an employee, or an individual who stood in loco parentis to the employee when the employee was a minor child.

COVID-19 Sick Leave Pay (§ 21(e))

The bill requires that an employee’s pay for COVID-19 sick leave be the greater of the employee’s normal hourly wage or the minimum wage. If an employee’s hourly wage varies, the “normal hourly wage” is the employee’s average hourly wage over the pay period prior to the one in which the employee uses the leave.

Employee Notice & Documentation (§ 21(f)-(g))

The bill requires an employee to give the employer advance notice about the need for COVID-19 sick leave as soon as practicable, but only if the need for leave is foreseeable and the employer’s place of business has not been closed. It prohibits an employer from requiring an employee to provide documentation for COVID-19 sick leave.

Transfers & Successor Employers (§ 21(h))

The bill requires that employees maintain their accrued COVID-19 sick leave when (1) they transfer to a separate division, entity, or location with the same employer or (2) when a different employer succeeds or replaces an existing employer.

Employee Replacements (§ 21(i))

The bill prohibits employers from requiring that an employee search for or find a replacement worker to cover the hours during which the employee is using COVID-19 sick leave.

Other Benefits and Collective Bargaining Agreements (§ 22)

The bill specifies that its COVID-19 sick leave provisions do not (1) discourage or prohibit an employer from adopting or retaining a more generous COVID-19 sick leave, paid sick leave, or other paid leave policy; (2) diminish any rights provided to an employee under a collective bargaining agreement; or (3) prohibit an employer from establishing a policy that allows employees to donate unused COVID-19 sick leave to other employees.

It also allows an employee to use the COVID-19 sick leave before using the paid sick leave provided by current law, as amended by the bill. And it prohibits an employer from requiring an employee to use other paid leave before using the COVID-19 leave.

Enforcement (§ 23)

The bill makes it illegal for an employer or anyone else to interfere with, restrain, or deny someone using or trying to use the bill's COVID-19 sick leave rights. It prohibits employers from taking retaliatory personnel actions or discriminating against an employee because the employee (1) requests or uses COVID-19 sick leave or (2) files a complaint with the labor commissioner alleging the employer's violation. Under the bill, a "retaliatory personnel action" is a termination, suspension, constructive discharge, demotion, unfavorable reassignment, refusal to promote, reduction of hours, disciplinary action, or other adverse employment action taken by an employer against an employee.

Complaints & Lawsuits. The bill allows an employee aggrieved by a violation of the bill's COVID-19 sick leave provisions to file a complaint with the labor commissioner. Upon receiving the complaint, the commissioner may hold a hearing. If he finds the employer in violation by a preponderance of the evidence, the bill imposes the same civil penalty allowed under the paid sick day law (up to \$500) and allows the commissioner to award the employee appropriate relief (e.g., pay for used sick leave, rehiring). A party aggrieved by the commissioner's decision may appeal to the Superior Court.

The bill requires the labor commissioner to advise an employee who files a complaint and is covered by a collective bargaining agreement that provides for COVID-19 sick leave about the employee's right to pursue a grievance with his or her collective bargaining agent.

The bill also allows anyone aggrieved by a violation of the bill's COVID-19 sick leave provisions, the labor commissioner, or the attorney general to bring a civil action in court without first filing an administrative complaint.

The bill requires the labor commissioner to administer these enforcement provisions within available appropriations.

Employer Notice & Records Requirements (§ 24)

Employer Notice. The bill requires employers to provide written notice to each employee (1) about the entitlement to COVID-19 sick leave, the amount of leave provided, and the terms under which it can be used; (2) that retaliatory personnel actions are prohibited; and (3) about the right to file a complaint with the labor commissioner or file a civil action. They must provide this notice within 14 days after the bill takes effect or at the employee’s time of hiring, whichever is later.

The bill also requires employers to display a poster that contains the same information in both English and Spanish. If the employer does not maintain a physical workplace, or an employee teleworks or performs work through a web-based or app-based platform, the notification must be sent via electronic communication or a conspicuous posting in the web-based or app-based platform. The bill requires the labor commissioner to provide the posters and model written notices to all employers.

Additionally, the bill requires employers to include in employee pay stubs the number of hours, if any, of COVID-19 sick leave received and used by each employee in the calendar year.

Employer Records Requirements. The bill requires employers to retain records documenting the hours worked and COVID-19 sick leave taken by employees for three years. (The bill does not specify when this three-year period begins.) The employers must allow the labor commissioner to access them, with appropriate notice and at a mutually agreeable time, to monitor compliance. For issues about an employee’s entitlement to COVID-19 sick leave, if the employer does not maintain or retain adequate records, or does not allow reasonable access to them, the bill requires that it be presumed that the employer violated these recordkeeping requirements unless there is clear and convincing evidence otherwise.

DOL. The bill allows the labor commissioner to develop and implement a multilingual outreach program to inform employees, parents, and people under a health care provider's care about the availability of COVID-19 sick leave. The program may include notices and written materials in English and other languages.

It also requires the labor commissioner to promulgate appropriate guidelines or regulations to coordinate implementation and enforcement of the bill's COVID-19 sick leave provisions.

It requires the labor commissioner to administer these provisions on DOL's and the bill's employer notice and records requirements within available appropriations.

Disclosure of Health Information (§ 25)

Unless otherwise required by law, the bill prohibits an employer from requiring disclosure of the details of an employee's or an employee's family member's health information as a condition for providing COVID-19 sick leave. If an employer possesses this health information, it must be treated as confidential and not disclosed except to the employee or with the employee's permission.

§§ 26-27 — UNEMPLOYMENT TAX EXPERIENCE RATES

Disregards benefit charges and taxable wages between July 1, 2019, and June 30, 2021, when calculating an employer's experience rate; similarly disregards benefits and taxable wages for 2020 and 2021 when calculating the unemployment tax rate for new employers

The bill disregards an employer's benefit charges and taxable wages between July 1, 2019, and June 30, 2021, when calculating the employer's unemployment tax experience rate for taxable years starting on or after January 1, 2022. In effect, this means that the unemployment benefits paid to an employer's former employees during that period will not affect the employer's experience rate. The bill's provisions apply to the extent allowed by federal law and as necessary to respond to the spread of COVID-19.

The bill similarly disregards the statewide benefits and taxable wages for calendar years 2020 and 2021 when calculating the unemployment tax rate that will apply to new employers for tax years

starting on or after January 1, 2022 (see BACKGROUND). Thus, the rate charged to employers who have not participated in the system long enough to have their own experience rates will not be affected by the benefits paid during those years.

Experience Rates

By law, an employer's experience rate generally depends on the amount of unemployment benefits its former employees received during its "experience period," which is the three-year period preceding each June 30 when an employer's rate is calculated. Under current law, an employer's rate is determined by calculating the ratio between the amount charged to the employer's experience account (generally, the amount of benefits paid to its former employees) and the amount of the employer's taxable wages during the experience period. This ratio is converted to a percentage between 0.5% and 5.4%, which becomes the employer's experience rate (CGS § 31-225a(e)).

For tax years starting on or after January 1, 2022, the bill requires that an employer's experience period disregard the employer's benefit charges and taxable wages from July 1, 2019, through June 30, 2021, when applicable. Thus, an employer's experience rate would not be affected by the chargeable benefits paid to its employees during that period.

New Employer Rates

By law, employers that have not been chargeable with benefits for a long enough time to have their own experience rate calculated must pay 1% or the state's five-year benefit cost rate, whichever is higher. Under current law, the state's five-year benefit cost rate is determined by dividing the total benefits paid to claimants over the previous five years by the five-year payroll over that period.

For tax years starting on or after January 1, 2022, the bill requires that the five-year benefit cost rate be calculated without the benefit payments and taxable wages for calendar years 2020 and 2021, when applicable. Thus, the statewide benefits paid during those years will not affect the rate charged to the new employers.

EFFECTIVE DATE: October 1, 2021

§ 28 — UNEMPLOYMENT BENEFIT ROUND-UP

Requires that an unemployment claimant's benefits be rounded up to the extent needed for the claimant to qualify for a program that provides 100% federally funded benefits for unemployment related to COVID-19

The bill codifies Executive Order 9P (2020). Therefore, it:

1. increases weekly unemployment benefits to \$100 for claimants who (1) were eligible for less than \$100 in weekly benefits during the weeks beginning July 26, 2020, and ending on September 5, 2020, and (2) had not exhausted their regular state unemployment benefits by July 26, 2020, and
2. allows claimants who receive this benefit increase to apply to the federally-funded Lost Wages Assistance program, which temporarily increases weekly benefits by \$300 (to be eligible, claimants must be receiving at least \$100 in weekly regular unemployment benefits).

The bill also requires that a claimant's benefits be similarly rounded up if an additional federal program is enacted to provide 100% federally-funded benefits for unemployment caused by or related to COVID-19 or the current COVID-19 public health and civil preparedness emergencies. If the new program requires claimants to have a minimum weekly regular unemployment benefit in order to qualify, the bill requires that the benefits of claimants who do not meet that minimum be increased so that they can be eligible for the new program, as long as they have not exhausted their state regular unemployment benefits.

For both benefit "round-up" provisions, the bill (1) requires that reimbursing employers not be charged for the amount of increased benefits paid to their former employees (reimbursing employers directly reimburse the unemployment trust fund for benefits paid to their former employees) and (2) allows the labor commissioner to issue implementing orders.

§ 29 — FELONY UNEMPLOYMENT BENEFIT FRAUD

Increases, from \$500 to \$2,000, the financial threshold used to determine whether someone's unemployment compensation fraud is a misdemeanor or a felony

The bill increases, from \$500 to \$2,000, the financial threshold used to determine whether someone's unemployment compensation fraud is a misdemeanor or a felony. Under current law, someone who knowingly makes a false statement or fails to disclose a material fact to obtain or maintain unemployment benefits is guilty of a (1) class A misdemeanor if the fraud amounts to \$500 or less or (2) class D felony if the amount is more than \$500. The bill increases this threshold to \$2,000.

§ 30 — PROJECT LABOR AGREEMENTS

Requires state agencies to consider using PLAs when they contract for a public works project worth at least \$10 million; requires contractors bidding on those contracts to be prequalified by DAS

The bill requires each contracting authority acting under the prevailing wage laws to consider using a project labor agreement (PLA), under the law for using PLAs on public works projects, for state contracts worth at least \$10 million. The PLA law allows a public entity to require a PLA for any public works project if it determines that it is in the public's interest to require one.

The bill requires that each contractor who bids on a state public works contract worth at least \$10 million (1) be prequalified by DAS to perform the work required under the contract (current law allows, but does not require, contractors to seek DAS prequalification); (2) be enrolled in an apprenticeship program; and (3) if awarded the contract, to complete the required work using its own employees (presumably, this means the contractor cannot subcontract for any of the work). The bill also specifies that the contractor must pay its employees at least the applicable prevailing wages (however, this would already be required by the prevailing wage law).

§ 31 — NOTICE OF HOSPITAL NURSING STAFF LEVELS

Requires hospitals to post certain information about their nursing staff levels and hours

The bill requires acute care and children's hospitals to calculate for

each nursing unit, on a per shift basis, the total number of nurses and nurse's aides providing direct patient care to patients in the hospital. Under the bill, "nurses" include licensed advanced practice registered nurses (APRNs), registered nurses (RNs), and licensed practical nurses (LPNs).

The bill requires that each hospital post in each nursing unit (i.e., floor or unit), at the beginning of each shift, a clear and conspicuous notice with: (1) the name of the hospital; (2) the date; (3) the total number of APRNs, RNs, LPNs, and nurse's aides who will be responsible for direct patient care during the shift; (4) the total hours that each of them is scheduled to work during the shift; and (5) the total number of patients in the nursing unit.

Each hospital must also post, at the beginning of each shift, a clear and conspicuous notice with (1) the hospital's staffing matrix for the nursing unit and (2) the phone number or Internet website for someone to report a suspected violation of a requirement relating to staffing levels and direct patient care.

Under the bill, both of the above notices must be readily accessible and clearly visible to patients, employees, and hospital visitors, including people in wheelchairs. In addition, the hospitals must make all of the posted information available to the public for review upon request, and they must retain the information for at least 18 months after it was posted.

Lastly, the bill prohibits hospitals from discharging or discriminating or retaliating against an employee for reporting a hospital's suspected violation of a regulatory requirement relating to staffing levels. It makes a hospital that violates this prohibition liable for treble damages and requires the hospital to reinstate the employee if the employee was terminated from employment. Under the bill, discriminating or retaliating against an employee includes the discharge, demotion, suspension, or any other detrimental change in terms or conditions of employment, or the threat of any of these actions.

EFFECTIVE DATE: October 1, 2021

BACKGROUND

Unemployment Tax Rate

By law employers pay state unemployment insurance (UI) taxes to support the state's Unemployment Trust Fund, which provides UI benefits to eligible claimants. An employer's state UI tax liability typically depends on three factors: (1) its experience rate, (2) the fund balance rate (a tax rate tied to the financial solvency of the state's unemployment trust fund), and (3) its taxable wage base (the amount of wages it paid that are subject to state UI taxes). Generally, the sum of the first two rates, which can range from 0.5% to 6.8%, applies against the first \$15,000 of each employee's wages (the taxable wage base) (CGS § 31-225a).

Related Bills

sSB 658, reported favorably by the Labor and Public Employees Committee, is identical to § 7 in this bill.

SB 660, reported favorably by the Labor and Public Employees Committee, is identical to §§ 5 & 6 in this bill.

sSB 1030, reported favorably by the Public Health Committee, requires, among other things, (1) DPH to maintain at least a three-month supply of PPE for long-term care facilities and (2) the facilities' administrative heads to ensure they acquire the supply from DPH and maintain it for their staff.

HB 5377, reported favorably by the Labor and Public Employees Committee, is identical to §§ 26 & 27 in this bill.

sHB 6478, reported favorably by the Labor and Public Employees Committee, contains provisions (§§ 2-5) that are identical to §§ 1-4 in this bill.

sHB 6537, reported favorably by the Labor and Public Employees Committee, contains provisions (§§ 7-12) that are identical to §§ 20-25 in this bill.

sHB 6595, reported favorably by the Labor and Public Employees Committee, is identical to this bill.

COMMITTEE ACTION

Labor and Public Employees Committee

Joint Favorable Substitute

Yea 9 Nay 4 (03/25/2021)